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A
Vindication
OF A
PASSAGE
IN
Dr. Sherlock's SERMON

PREACHED
Before the Honourable House of Commons,
May 29. 1685.

FROM THE
Remarks of a late pretended Remonstrance,
By way of Address from the Church of *England*,
To both Houses of Parliament.

Imprimatur.

C. Alston, R. P. D. Hen. Episc.
Lond. a sacris Domesticis.
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Vindications

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11-10-1941

PREACHED

Before the Honorable House of Commons

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Remains of a late prehistoric monument

By way of reference to the Central England

To: John H. ...

medical staff

0157, 0158, 0159, 0160

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1. The first part of the document is a list of names and titles, including "The Hon. Mr. Justice" and "The Hon. Mr. Justice".

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VINDICATION

OF

A Passage in Dr. *Sherlock's* Sermon,

&c.

WHEN I first saw that Pamphlet, which bears the Title of, *A Remonstrance, by way of Address from the Church of England, to both Houses of Parliament, with some Remarks upon Dr. Sherlock's Sermon*, I was not so curious to examine the Contents of that Paper, as to see what he had to say against that Sermon, which received so great an Approbation from the House of Commons; and turning over the Page, I was soon directed by the Margin to the place; where I find these words prickt out for the subject of his Remarks.

I deny not, but some, who are Papists, in some junctures of affairs, may and have been very Doyal; but I am sure the Popish Religion is not; the Englishman may be Loyal, but not the Papist; and yet there can be no security of those mens Loyalty, whose Religion in any case teaches them to Rebel. Now this being an Address from the Church of England, which is so well acquainted with Popish Loyalty, any one would in reason have expected, that the Doctor should have received a Repri-
mand for touching that Cause so gently; and in my Con-

science, had any one attacked him there, he would have found more trouble, and been put to more shifts, in vindicating the Personal Loyalty of Papists, than in proving that the Popish Religion does not teach Loyalty : which is the Accusation brought against him by the Author of this *Remonstrance* ; that he charges the Popish Religion with being Disloyal, though some who are Papists may be Loyal. And I should have wondered at the discretion of this Writer (had he given any Specimen of Wit or Understanding in any thing else) that he would engage in so baffled a Cause. The better way had been to have thanked the Doctor for his Complement, and to have left the Doctrine of their Church to have shifted for itself.

But I confess, I have so great a kindness for the Doctor, that I am unwilling he should continue under so scandalous an Imputation, of having charged the Church of *Rome* with any Doctrines which she dishowns, which had at all times been very wicked, but at this time had been folly and madness ; and therefore not to enter into the Merits of the Cause, which this Writer has given no just occasion for, I shall onely very briefly consider, what he urges in vindication of the Popish Loyalty.

Remonst.
P. 2. The first Argument he uses to prove, that their Religion does not teach them to Rebel, is because they themselves (though they are very zealous for their Religion) deny that it does. *Do both in their publick Writings and private Discourses, declare and maintain, that their Religion teaches no such Doctrine, and that they are ready to maintain and practise true Loyalty, with the hazard of their Lives and Fortunes.* As for their practising true Loyalty, I shall civilly wave that, because the Doctor has thought fit to do so, and therefore it is no Argument against him ; for it is no new thing for men to act contrary to the Principles of their Religion, and sometimes to be better than their Religion in its just consequences teaches them to be, as I charitably hope many

many Roman Catholicks are. But who are these men, and what is their Authority, who teach, that the Deposing Heretical Kings, or those who are Favourers of Hereticks, is no Doctrine of the Church of *Rome*? I say, the *Deposing Doctrine*; for I grant, they do not teach Rebellion by that name: for when a Prince is deposed by the Authority of their Church, they absolve their Subjects from their Fealty, *and then it is no Rebellion to Rebel*. And I wish our Author had not some such reserve in those doubtful terms, *Rebelling* and *True Loyalty*: for to resist and dethrown a deposed Prince, is not *Rebellion*, according to the Doctrine of the Church of *Rome*; nor to defend him, *True Loyalty*.

But does this Gentleman think, we have no other way of knowing the Doctrine of their Church, but by what they say, is the Doctrine of their Church? Suppose some of these Sayers be so ignorant, that they know not what is the Doctrine of their Church; some so crafty, as to conceal it; some so heretical as to deny it, and to be censured, and excommunicated for it at *Rome*; what does their saying so or so signifie to us? who have the authentick Decrees of their Popes and Councils. They are very angry with us, when we alledge the Testimonies of their private Doctors, though of the greatest Note and Eminency among them, whose Writings have been published with the greatest Authority, and received with the greatest Applause, and yet they have the modesty to send us to an Irish Remonstrance, and the Writings of *P.W.* or to the renowned Author of the Roman Catholick Principles, to learn the Doctrine of the Church of *Rome*; admirable Vouchers for the Church of *Rome*, some of whom at least are no better than Apostates themselves, and are condemned for such at *Rome*.

Suppose we should be persuaded by the Authority and Rhetorick of this Author, that the Church of *Rome* does not teach the Deposing Doctrine, and should assert it against all the Jesuits in the World, and one of them should answer in
the

the very words of this Remonstrance. *What reason has any man to say, that our Religion does not teach us to Rebel (that is to Depose and Murder Heretical Princes) when we who are so jealous of our Religion, that we voluntarily suffer the loss of our Estates, our Liberties, and our Lives, rather than renounce the least tittle of it; do both in our publick Writings and private Discourses, declare and maintain that our Religion does teach the Deposing Doctrine, and that we are ready to maintain and practise it with the hazard of our Lives and Fortunes? What a fine case are we in now! when the Doctrine and Practice of the Jesuits proves, that the Deposing Doctrine is the Doctrine of the Church of Rome; and the Doctrine and Practice (says our Author) of some other nameless Party proves, that it is not the Doctrine of the Church of Rome; and yet I see no reason, why the Jesuits may not pass for as good Catholicks as any other Order amongst them, nor why Baronius, and Bellarmine, and Suarez, &c. may not be thought as good Catholick Doctors, as some few late Writers. This Argument then will prove nothing because it proves both parts of a contradiction to be true, that the Deposing Doctrine is, and is not, the Doctrine of the Church of Rome.*

Had he ingenuously acknowledged, that the Deposing Doctrine had been decreed and practised by their Popes and General Councils, that no Pope or Council since Gregory the Seventh had ever condemned it, that the Jesuits do still maintain it, and yet in the late Censure of some other Jesuitical Doctrines, the present Pope thought fit to let the Deposing Doctrine escape without censure; but notwithstanding this, they did utterly disown it, and would do so, though they knew the Church of Rome had defined it, or ever hereafter should do so, this had been something to the purpose to satisfy both Prince and People of their Loyalty. But to say, that this is not the Doctrine of the Church of Rome, is to outface all mankind, who have eyes in their heads, and skill enough to read the Decrees of their Popes and Councils; and

to found their Loyalty upon this supposition, that the Deposing Doctrine is not the Doctrine of the Church, gives too great a suspicion that if this were the Doctrine of the Church of *Rome*, or ever should be so, or they should ever be convinced that is so, then they would be for the deposing of Princes too; and whatever some little inferiour People in Communion with the Church of *Rome* think of these matters, while the governing part of the Church believes otherwise, as they certainly do at this day, (if the Pope and his Adherents are the governing part) Princes have no security, that Popes will not challenge and exercise this authority, but their want of power to do it; and this, I am sure, is wholly owing to the Reformation: for till Princes had Subjects who valued not the Popes authority, they themselves were the Popes Vassals, and must necessarily be so again, could they extinguish this pestilent Heresie, the great fault of which is, that it has given strength and security to Princes, by weakening the Pope.

But our Author proceeds: 'Tis true, some persons in communion with *Rome* have broached Tenents inconsistent with Loyalty; but 'tis true likewise, their Books have been condemned and burnt (as they often tell us) by the publick Executioner. It is true indeed, *Mariana's* Book *de Rege & Regis institutione*, *Snarez defensio fidei Cath.* & *Sanctarellus Tractatus de Heresi*, and it may be some others, were condemned to be burnt by the Parliament at *Paris*; but no thanks to the Church of *Rome* for this, who never condemned these Doctrines. It is said indeed, that *Mariana's* Book was censured by the Pope; and it is true, the Pope did censure one of his Books, as we learn from *Alegambe in Biblioth. Script. Societ. Jesu*, p. 258. but not that *de Rege* which was burnt at *Paris*: And as for *Sanctarellus*, his Book was printed at *Rome* by the express allowance of *Vitellescus* the General of the Jesuits; and when the Parliament of *Paris* took great offence at it, and examined some of the Jesuits what they thought of it, Father *Coton* an-

answered, that they disliked it. And being farther asked, how they could disapprove what their General allowed, he replied, That their General being at *Rome*, could do no less. Upon this they enquire what they would do, if they were at *Rome*; the Jesuit frankly answered, They should think as they do at *Rome*, as *Gramondus* relates. And how this proves that the Church of *Rome* is such an Enemy to the Deposing and King-killing Doctrine, I cannot tell: for it seems, that those who upon some prudent considerations may condemn such Doctrines at *Paris* or *London*, may prove good Catholics at *Rome*, such influence has a different Climate upon some mens Faith.

But he adds, *The Roman Catholics do frequently declare, that it is an Article of Faith in their Church, and expressly declared in the Council of Constance, that the King-killing Doctrine, or Murder of Princes Excommunicated for Heresie, is damnable and Heretical, as being contrary to the known Laws of God and Nature.*

But whatever the Roman Catholics declare (which we have but one nameless Author's word for, the Author of the Roman Catholick Principles, who yet assigns this as the chief reason, why many Catholics of tender Consciences refuse the Oath of Allegiance, because they cannot renounce the Deposing Doctrine as heretical; which is strange, if, as he says, the Council of *Constance* has condemned it as damnable and heretical) I am sure the Council of *Constance* declares no such thing. He directs us to *Sess. 15.* of that Council, where indeed I find this Proposition condemned: *Quilibet Tyrannus potest & debet.*

That any Tyrant may and ought lawfully and meritoriously be killed by any of his Vassals and Subjects by treachery or flattery, notwithstanding any Oath of Fealty, Non expectata sententia vel mandato judicis cujuscunque, without expecting the Sentence or Command of any Judge.

So that the Council condemns the killing of a Tyrant, not
of

*Roman Cathol.
principles, p. 6.*

*Cont. To. 12.
p. 144.*

of a Heretick; and the killing of a Tyrant who is not condemned and depofed, not of one who is excommunicated for Heresie. And that last clause, *without expecting the Sentence and Command of any Judge*, fupposes that it is no fault to do it, but may be a very lawful and meritorious act, to kill fuch Princes as are depofed by fuperiour Judges, that is, by the Pope or Council, which is the onely Authority that ever pretended to judge or depofe Sovereign Princes: and therefore when Suarez was urged with this Decree, *Suarez Defenf. fid. lib. 6. cap. 4.* he answers, *Where do you find in the Acts of that Council, that this extends to Princes Excommunicated or Depofed by the Pope.*

This Council of *Constance* owns the fourth Council of *Lateran* for a General Council, *Concil. Constance. Sess. 39.* and Decrees, that every new-elected Pope before the publication of his Election, fhall profels to maintain this among other General Councils, to the leaft tittle, with the expence of his life and bloud; and therefore what the Doctrine of this Council was about Depofing Princes, we may learn from the Council of *Lateran*, which exprefly defines, *That if the Temporal Lord being required and admonished by the Church, fhall neglect to purge his Country from the filth of Heresie, he fhall be Excommunicated by their Metropolitan and his Suffragan Bishops; and if he neglect to make fatisfaction within a year, this fhall be fignified to the Pope, that from thenceforth he may declare his Subjects Absolved from their Fealty, and expose his Country to be feized by Catholics, who*

Si verò dominus temporalis requisitus & monitus ab Ecclesiâ, terram suam purgare neglexerit ab hac Hæretica fæditate, per Metropolitanum & cæteros Comprovinciales Episcopos excommunicationis vinculo innoderetur, & si fatisfacere contempserit infra annum, significetur hoc summo pontifici, ut ex tunc ipse Vassallos ab ejus fidelitate denunciaret absolutos, & terram exponat Catholicis occupandum, qui eam exterminatis hæreticis, sine ullâ contradictione possideant, & in fidei puritate convent, salvo jure Domini Principalis, dummodo super hoc ipse nullum præster obstaculum, nec aliquod impedimentum opponat; eâdem nihilo minus lege servatâ circa eos, qui non habent Dominos Principales. *Concil. To. 11. p. 148, 149. Edit. 1 abb.*

shall possess it without any contradiction, and preserve it in the purity of the Faith, provided the principal Lord may receive no damage by it, if he do nothing to hinder these proceedings; and yet the same Law shall be observed as to those who have no principal Lords over them. That is, all Sovereign Princes, and Emperours, who are liable to the Sentence of Excommunication and Deprivation, if they do not purge their Dominions of Heresie. Now this I take to be Deposing Doctrine.

But we need not go to the Council of *Lateran* to learn the sense of the Council of *Constance* in this point. *Concil. Const. Sess. 45.* Pope *Martin* the Fifth, in his Bull for confirmation of this Council, speaks very home to the Case, *That all Hereticks, and their followers of both Sexes, and*

Omnes & singulos Hæreticos hujusmodi, necnon Sæctatores ipsarum hæresum & errorum utriusque sexus, tenentes & etiam defendentes eosdem, & Hæreticis ipsis quo modo liber publicè vel occultè in divinis vel alias participantibus, etiam si Patriarchali, Episcopali, Regali, Reginali, Ducali, aut aliâ quâvis Ecclesiastica vel Mundanâ præfulgeant dignitate-----Excommunicatos singulos diebus dominicis & festivis in præsentia populi nuntietis, & per alios nuntiari faciat: Et nihil ominis contra eosdem omnes & singulos, utriusque sexus, hujusmodi errores tenentes, approbantes, defendentes, dogmatizantes, ac fautores & receptatores, & defensores eorundem, exemptos & non exemptos, & quemlibet ipsorum, cujuscunque dignitatis, status præminentiæ, gradus, ordinis, vel conditionis (ut præfertur) existant, auctoritate nostrâ diligenter inquirere studeatis, & eos quos per inquisitionem hujusmodi defamatos, vel per confessionem eorum seu per facti evidentiam, vel alias hujusmodi hæresis, aut erroris labe resperfos reperietis, auctoritate prædictâ etiam per excommunicationis, suspensionis, & interdicti, necnon privationis dignitatum, personatum & officiorum, aliorumq; beneficiorum Ecclesiasticorum, ac feudorum, quæ à quibuscumq; Ecclesiis, Monasteriis ac aliis locis Ecclesiasticis obtinent, ac etiam bonorum & dignitatum se-

those who hold and defend such Heresies, or communicate with such Hereticks publickly or secretly, in Religious Offices or any other way, though they shine in the Dignity of Patriarchs, Arch-Bishops, Bishops, Kings, Queens, Dukes, or any other Ecclesiastical or Secular Title, shall be pronounced Excommunicate in the presence of the People, every Sunday and Holy-day. And that the Archbishops, Bishops and Inquisitors, shall by our Authority diligently inquire concerning them who hold, defend, or receive such Heresies and Errours, of what Dignity, State, Preheminence, Degree, Order, or Condition soever they are: and if they be found guilty. shall by the foresaid Authority proceed against them

them by punishments of Excommunication, Suspension, Interdict, as also of deprivation of their Dignities, Offices, and Benefices Ecclesiastical, and also of their Secular Dignities and Honours; and by any other

Penalties, Sentences, Ecclesiastical Censures, which they shall judge fitting, ~~even~~ by taking and imprisoning their Persons, and executing upon them any corporal Punishments with which Hereticks use to be punished, according to the Canonical Sanctions. This is the Council, which our Author tells us expressly declares, that the King-killing Doctrine or Murder of Princes excommunicated for Heresie, is damnable and heretical, as being contrary to the known Laws of God and Nature; and yet for ought I can perceive by this Bull, the greatest Emperour in the world, if he be a Heretick, or a Favourer of Hereticks, if the Pope have as much power as authority, may be burnt, as *John Huss*, and *Jerom of Prague*, were by this Council.

The account of that Article, *Quilibet Tyrannus*, in short is this: The Duke of *Burgundy* had caused *Lewis Duke of Orleans* to be murdered; *Johannes Parvus* a Divine of *Paris*, to justify this action, defended that Proposition, That a Tyrant might be killed by any of his Subjects, without expecting the Sentence or Command of any Judge; which *Mariana* asserts to be certainly true, and that the onely difficulty is to know, who is a Tyrant. So that this is a true Commonwealth-Principle, like the seventeenth Article of *John Wickleff*, which was condemned also in this Council; *Populares possunt ad suum arbitrium dominos delinquentes corrigere*. The people may correct their Lords or Governours, when they do amiss, according to their own will and pleasure. And this I grant is not the Doctrine of the Church of *Rome*, which reserves this power wholly to it self, though it has been defended by many Jesuits, such as *Mariana* and *Suarez*, from whence our late Rebels learnt their

cularium ac graduum scientiarum quarumcunque facultatum, & per alias pœnas, sententias, & censuras Ecclesiasticas, ac vias & modos, quos ad hoc expedire, seu opportunos esse videritis, etiam per captiones & incarcerationes personarum, & alias pœnas corporales, quibus hæretici puniuntur, seu puniri jubentur aut solent juxta canonicas sanctiones. *Conc. Const. Sess. 45 To. 12. p. 271.*

Richerius Hist. Conc. Gener. part 2. p. 162.

Maxims of Government. But these two Questions ought to be carefully distinguished, or else we may indeed injure the Church of *Rome*; Whether the People have an inherent right in themselves to Depose, or Punish, or Murder Tyrannical Princes; and whether the Pope have authority to Depose Princes for Heresie or other causes, and to Absolve their Subjects from their obedience: The first is not the Doctrine of the Church, (though it be of many Jesuits) but is expressly condemned by this Council; though *Mariana* truly observes, that the condemnation of this Proposition, *Quilibet Tyrannus*, is not confirmed by the Popes Bull, as the condemnation of the Articles of *Wickleff* and *Huß* expressly is; which gives some suspicion, that he did not much like it, especially considering what *Gerson* tells us, that this Doctrine of *Johan. Parvus* was branched out into nine Articles, and he was very zealous to have had them all distinctly condemned, but could not obtain it; and therefore complains, *Errorem illum non sufficienter sed valde diminute damnatum esse*, That this Errour was not sufficiently, but very imperfectly condemned; which he attributes to that kindness many of them had for the Duke of *Burgundy*. However, I do not find this Doctrine defined in any of their General Councils, and it is condemned (though *Gerson* says imperfectly) in this, and therefore is not to be accounted the Doctrine of the Church of *Rome*. But as for the Popes Deposing power, it is not onely asserted by Jesuits, but decreed by their Councils, and therefore must be accounted the Doctrine of their Church.

But our Author proceeds: *That no Catholicks, as Catholicks, believe that the Pope hath any direct or indirect authority over the Temporal Power and Jurisdiction of Princes: so that if the Pope shall pretend to absolve or dispence with his Majesties Subjects from their Allegiance upon account of Heresie and Schism, such Dispensation would be vain and null, and all Catholick Subjects (notwithstanding such Dispensation or Absolution) would be still bound in Conscience to defend their King and Country, at the hazard of their Lives and Fortunes, even against the Pope himself, in case*

case he should invade the Nation. And yet we see that Popes challenge this Deposing power, and their Councils own and decree it; and where to find the Roman Catholick Faith, but in the Decrees of their Popes and Roman Catholick General Councils, I cannot guess. And if we may take and leave what we please of their Councils, and be good Catholicks still, I see no reason why we may not reject the Decrees of their Councils about Transubstantiation, Purgatory, Indulgences, the Invocation of Saints, and Worship of Images, and continue as good Catholicks as they are, who renounce the Authority of their Councils as to the Deposing Doctrine. I am sure the Council of *Constance* would have condemned these men for Hereticks, who should presume to reject any Doctrine, which this or other General Councils had determined; for in the Bull of *Martin V.* in the Articles of Inquiry after Hereticks, they were to ask them this Question among others: *Whether he believed, that what this holy Council of Constance, representing the Universal Church, hath approved and doth approve in favour of the Faith, and the salvation of Souls, is to be held and approved of all Christian people; and what it hath and doth condemn as contrary to Faith and good Manners, that is to be held, and believed, and professed by them to be condemned.*

Council. To.
12, p. 268.

It were easie to multiply Testimonies to this purpose; as the Deposition of the Emperour *Frederick II.* in the General Cotinail at *Lyons* by Pope *Innocent IV.* the Breve of *Paul V.* to the English Catholicks, against taking the Oath of Allegiance; but my Author has given no occasion to proceed any farther. He appeals to the General Council of *Constance*, and I joyn issue with him here, and leave it to every man to judge, whether that Council has decreed the King-killing Doctrine, or Murder of Princes Excommunicated for Heresie, to be damnable and heretical.

The first of those three Treatises against the Oath of Allegiance, which are published by the Title of *The Jesuits Loyalty*, proves at large that the Deposing Doctrine is the Doctrine of the Church of *Rome*, by several very material Arguments.

I. That

1. 'That Popes have taught it as sound Doctrine, proving it
' from Scripture and Tradition, and condemned the contrary as
' erroneous in Faith, pernicious to Salvation, wicked folly and
' madness, and inflicted Censures on them that held it.

2. 'That Popes have in the highest Tribunals of the Church
' deposed Sovereign Princes, and absolved their Subjects from
' their Allegiance; and this with the advice and consent of
' their Councils, and not onely Patriarchal, but sometimes e-
' ven General.

3. 'That Popes, and General Councils by them confirmed,
' have denounced Excommunication to such as should obey
' their Princes after such Sentence of Deposition and Absolution
' of their Subjects from their Allegiance.

4. 'That a General Council, confirmed by the Pope, hath
' made a Canon-law, regulating the manner of Deposing
' Princes in some case, and absolving their Subjects from their
' Allegiance.

5. 'That all Catholick Divines and Casuists that have trea-
' ted of it, from the first to the last, (after *Calvin's* time) in all
' the several Nations of *Christendom*, have asserted this power
' of the Pope, without so much as one contradicting it in all
' that time.

6. 'That all Catholick Emperours, Kings, (yea, even they
' that were deposed) States, Magistrates, and Lawyers, and fi-
' nally all the Catholicks in the world, for the time being, have
' (by tacit consent at least) approved and received this Doctrine
' of Popes, Divines and Casuists, and these Censures, Canons,
' and Practices of Popes and General Councils.

This is enough in all Conscience, if it be well proved (as I
think truly the greatest part of it is) to prove the Deposing Do-
ctrine to be the Doctrine of the Church of *Rome*; and when
there is so great and potent a Party among themselves, who
appear so zealous in this Cause, I cannot understand what
fault the Doctor committed in charging them with that which
they are so ambitious to be charged with. If it be a Calumny,
Popes

Popes and Councils, Divines and Casuists and Lawyers, are the Authors of the Calumny (not those who believe it upon their report) who are the properest Judges, what authority it is they challenge; and all the world knows what it is they exercise as often as they can.

There is indeed an Answer given to this Treatise by one of those Catholick Divines (as they call themselves) who will not own this to be the Doctrine of the Church. I read it over with great zeal and expectation to see it confuted, which I profess I should have been very glad to have seen fairly done: for I take no pleasure in the Errours and Mistakes of any Church; and I think he has proved, that those Kings and Emperours who were deposed, did not like the Deposing Doctrine, as any one would guess; and I confess, I thought it at first a bold attempt in the Author of that Treatise to prove the contrary, which is the onely matter of fact, wherein he has apparently the better of his Adversary; but as for other matters (excepting the Opinions of all Catholick Divines and Casuists before *Calvin*, which may admit of some debate) he yields it all, and laughs at his Adversary for taking so much pains to prove what no body denies, *viz.* that Popes have taught this Doctrine, that Popes and Councils have made such Decrees, and have actually executed them upon Kings and Emperours; and that their most eminent Divines and Casuists have defended this Doctrine, and justified such Decrees and Practices: but yet he says, all this does not prove it to be the Doctrine of their Church, nor *de fide*.

Now this does not concern the Doctor, who did not meddle with their Church nor Articles of Faith, but asserted that the Popish Religion is not Loyal, and that in some cases it teaches Subjects to Rebel. Now if the Doctrine and Decrees of Popes and Councils be no part of the Popish Religion, whether they be in a strict sence Articles of Faith or not; if the Decrees of Councils to depose Heretical Princes or the Favourers of Hereticks, and to absolve their Subjects from their

their Allegiance, do not teach Subjects to Rebel in such cases, then indeed the Doctor may be mistaken, especially if it be any comfort to a deposed Prince, that he is deposed by vertue of a Decree of Popes and Councils; but yet the Popes power of Deposing Princes, is no Article of Faith.

But yet it may be of good use to set this matter in a clear light, and to hear the utmost that can be said to vindicate the Church of *Rome* from teaching so pernicious a Doctrine as this. And what the Answerer to the first Treatise against the Oath of Allegiance says, is contained in a narrow compass, and I shall reduce it into as easie a method as I can. The truth is, I generally like what he says very well, and think he has proved that it ought not to be the Doctrine of the Church, and that no man is bound to believe it, whatever Church teaches it; but I think he has not proved, that it is not the Doctrine of the Church of *Rome*. He frankly acknowledges, that this Deposing Doctrine has been taught by Popes, and has been decreed by General Councils (which our Remonstrancer denies) let us hear then how he vindicates the Church of *Rome* from teaching such a Doctrine, and truly I cannot find that he ever attempts it.

1. He says indeed this is not the Doctrine of the Church, and we believe it is not, if by Church he means the Universal Church of all Ages; but yet it may be the Doctrine of the Church of *Rome*, which teaches a great many Doctrines which the Primitive and Apostolical Churches never heard of: and therefore though it be true what he says, *That all the Ages before Gregory the Seventh were positively against the*
 P. 18. *Deposing Doctrine; That this was a Doctrine brought in*
 P. 10. *in the Eleventh Century, against the Judgement and Practice of Ten before; That the Fathers were not of this*
mind; and a great deal to this purpose: yet this does not prove that the present Church of Rome does not teach this Doctrine; which is plain matter of fact to be seen in the Decrees of their Popes and Councils, as he himself acknowledges.

Thus

Thus he proves, That this Doctrine is not an Article of Faith : For two things are necessary to make an Article of Faith. *First, That the Point have been originally revealed by Christ ; And Secondly, That this Revelation have been preserved by an uninterrupted and uniform Practice of the Faithful ; and if any of these conditions are wanting , he denies any engagement of the Church in these concerns , or that the Church has believed, taught, or practised this Deposing Doctrine:* that is to say , If any Church teaches such Doctrines, as have not the true Characters of Articles of Faith, she does not teach true Articles of Faith ; but yet such Doctrines may be Articles of Faith in the Church of *Rome* , though they be not Articles of the Catholick Faith ; for if no Church can make Articles of Faith for her self, which are not Articles of the Catholick Faith, then no Church can be guilty of Heresie, for she never can have an heretical Faith, if nothing can be the Faith of the Church, but what is Catholick; which indeed is the only expedient I know of in the World, to prove the Church of *Rome* not to be guilty of Heresie ; but then it will justify all other Churches, as well as the Church of *Rome*.

I thought all different Churches or Communions of Christians had been distinguisht from each other by their Articles of Faith, and Ecclesiastical Policy, their Canons, or Laws of Discipline ; and if I would know, what is the Doctrine, Government, or Discipline of the Church of *Rome*, or of the Church of *England*, I must not enquire either what the Scripture teaches, or what was taught many Ages since by the Primitive Fathers, but must examine the Authentick Records of these Churches, the Decrees of Popes and Councils, their Articles and Canons ; for it is impossible to know, what is believed and practised in the Church of *Rome*, or *England* at this day, but by such Records : What is the true Catholick Faith, and what is the Faith of the Church of *Rome*, or of the Church of *Eng-*
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land, are two very different Questions, and must be proved different ways ; we must learn the Catholick Faith of the Church from the Doctrine of the Scriptures, or the Writings of the Primitive Fathers; but we must learn the Faith of the Church of *Rome* , or *England*, or any other Church , by their own Writings, confirmed by the highest Authority that is in such a Church : And therefore as we must learn the Doctrine of the Church of *England*, from our Articles and Canons , so we must learn the Doctrine of the Church of *Rome*, by the Definitions, Decrees, Constitutions, Canons of Popes and Councils , whose Authority is received and acknowledged in the Church of *Rome* ; and as he , who renounces the 39 Articles, or any of them, does so far separate from the Church of *England* , and renounce its Authority and Communion ; so do those , who renounce the Decrees and Definitions of Popes and Councils , so far forth renounce the Church of *Rome* , the Doctrine , Government , and Discipline of it. And as it would be absurd to say, That the Church of *England* does not renounce Transubstantiation , because this Author thinks, it is a Catholick Doctrine ; so it is equally absurd to say, That this Doctrine of Deposing Princes, is not the Doctrine of the Church of *Rome* , though taught by Popes and Councils, that is, by the highest Authority of that Church , because this Author believes, That, notwithstanding what Popes and Councils say, it is not the Doctrine of the Universal Church in all Ages ; which is a good reason indeed to prove, That we ought not to receive such Doctrines, though taught by the Church of *Rome* , but is no proof, that this is not taught by the Church of *Rome*.

Thus it is nothing to the purpose , as far as we are concerned in this Controversie, Whether Popes or Councils be Fallible or Infallible, Whether what they decree be an Article of Faith, or not, Whether it be true or false ; for if the Popes and their Councils be the highest Authority in the Church
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of *Rome*, we must learn from them, What is the Doctrine of the Church of *Rome*, be it true or false, as we do, what the Doctrine of the Church of *England* is, from the Articles and Canons agreed on in Convocation; though we do not pretend that the Convocation is Infallible, or that what they determine must be true, because they determine it.

All the little (not to say senseless) Distinctions, which this Answerer uses, tend only to prove, That what is decreed by Popes and Councils, is not therefore the Doctrine of the Church, that is, of the Universal Catholick Church, unless it have the confirmation of Catholick Tradition, which I will easily grant him; but yet it may, and must be the Doctrine of the present Church of *Rome*, if it be determined by all the Authority, that is in that Church: For that is the Doctrine of any Church, which is agreed on, and determined by the highest Authority in it; and I know no greater Authority in the Church of *Rome*, than that of Popes and Councils; and therefore the Deposing Doctrine being defined and decreed by Popes and Councils (as he himself acknowledges) must be the Doctrine of the Church of *Rome*.

2. No says this Answerer, Councils have made a Canon for the Deposing heretical Princes, but have not defined, That the Pope or Council have Authority to do it. *Councils use to define those things, which they intend we should be obliged to believe. To make a Canon is one thing, to define is another. Decreeing and Supposing are plainly not defining; and therefore this Deposing Doctrine is no Article of Faith in the Church of Rome; nor are they bound to believe it, because though it has been decreed, it has not been defined in any Council. An admirable Apology for the Church of Rome! The Council of Lateran (says this Answerer) made a Decree concerning Deposition; the Council of Lyons assented to an actual Deposition; therefore they were both persuaded, they or the Pope, had power to depose. I, for my part, see not what more can be made of it.* P. 13. P. 14.

what more need be made of it, to justify the Doctor, or any one else, who charges the Church of *Rome* with the Deposing Doctrine. He may dispute with his Adversary, if he pleases, Whether such a Deposing Canon, prove the Deposing Doctrine to be an Article of Faith; but I think it is much at one, Whether a Prince be deposed by an Article of Faith, or by a Decree or Canon. If that Canon, which decrees the Deposing of Princes, and Absolving their Subjects from their Allegiance, teaches Subjects to rebel, and the Church of *Rome* has made such a Canon, (as evidently they have, if *Roman* Catholick General Councils be the Representative of that Church) I think it does not mend the matter much, whether the Deposing Doctrine be an Article of Faith or not. And yet I am not satisfied, but, that to decree what shall be done, includes a virtual Definition of that Doctrine, on which that Decree is founded. To decree, that an heretical Prince shall be Deposed, signifies something more than a bare Definition, that an Heretical Prince may be deposed; and I believe all mankind, who have not lost common sense by Metaphysical Subtilities, have always taken it for granted, That a Decree includes a Definition. Nay to decree without a Definition, supposes the Deposing Doctrine, whereon the Decree of Deposition is founded, to be so universally received and acknowledged, that there was no need of an express Definition; which, I think, ties it as hard upon the Church of *Rome*, as any Definition could do.

The Sum is this: This Answerer acknowledges, That Popes and Councils have decreed the Deposing Doctrine, but will by no means grant, that this is the Doctrine of the Church, (there by meaning, the Universal Church of all ages) nor that they are bound to believe it, and I readily grant him all this, but do still averr, That it is the Doctrine of the present Church of *Rome*; which is all that I intend to prove, for I never thought it was the Doctrine of the true Catholick Church, or that any Christian ought to believe it.

it. As the Church of *Rome* is distinguished from other Communions of *Christians*, we have no other way to learn what she teaches but from Popes and Councils, who are the highest Authority in that Church, and they teach the Deposing Doctrine; and therefore those, who live in Communion with that Church, and own its Authority, must own it too. Those who disown this Doctrine, so far disown the Authority of the Church of *Rome*, and may be the better Subjects for being the worse Papists, which I think is no great Commendation to that Religion.

3. Now since Popes and Councils have decreed and thereby defined the Deposing Doctrine, and this Answerer does and must believe the Church of *Rome* to be the Catholic Church. I desire to know, how he can avoid that Inference, That this Deposing Doctrine, ever since it has been decreed by Popes and Councils, has been the Doctrine of the Church? For is not the Church of *Rome* the Church still, since it decreed the Deposing Doctrine? and is not a General Council, the Representative of the Church of that age, wherein this Council is held? And are not the Decrees of such a Council then the Doctrine of the Church? No, says our Answerer, *I do not understand, how the Church can be engaged, unless she proceeds on those Grounds, on which alone a Church as a Church, or Congregation of Faithful can proceed.* Which he there tells us, is a revelation by Christ, preserved by an uninterrupted and uniform practice of the Faithful, that is, by that exploded Oracle of Infallible Tradition. But *If any, or all of those, who make the Church believe not, or act on other grounds than these, I conceive they believe and act, not as a Church or as faithful, but as Men, or Scholars, or in some other Capacity.* — The truth is, when Councils leave their proper work, defining and declaring to Posterity the Faith received from their Ancestors, and fall to discoursing, or rather acting on discourses formerly made, they are not in strict formality, Councils, I mean in that propriety in which they are held

Answer to
the first
Treatise,
p. 5.

to be Infallible, but men assembled to be a Council, and proceeding now, not as a Council, but as so many men. And must this pass for good Catholick Doctrine; that all the men in the Church may err, and yet the Church cannot err, which preserves Infallibility in the Church by as great a Miracle, as the *species* of Bread and Wine in the Sacrament without a Subject. But, I beseech you, When are General Councils Infallible? When they decree and define, what is Infallibly true. Right! And thus the Convocation of the Province of Canterbury or York are as Infallible, as any General Council. Nay any private Christian is as Infallible as either, if he adhere to Infallible Tradition. But I thought it had been Catholick Doctrine, That a General Council are no longer to be considered as men, but as the Church representative, which is under the Conduct and Influence of an Infallible Spirit to secure them from Error: But it seems even a General Council may err; only then they err not as a Council, but as Men: but how shall we know, when they are a Council, and when they are Men? Truly this is not to be known, till they have made their Definitions and Decrees; and then if they be agreeable to Catholick Tradition, they acted as a Council, if not they were only Fallible Men. But who shall be Judge of this? Who is the Keeper of this Catholick Tradition? Why every Man must judge for himself, *It is the sence written in the hearts of the Faithful, and appearing in their Actions: The Writing foretold by the Prophet, Jerem. 3. in the bowels and hearts of the house of Israel.* And thus I hope in time our Quakers may be good Catholics.

Ibid. p. 71.

The Sum then of his Argument, whereby he proves, That the Deposing Doctrine is not taught by the Church, though it be taught by Popes, and General Councils, is this, That the Pope is not Infallible, at least that his Infallibility is but a probable Opinion; That General Councils are not the Church, but Fallible Men when they err, and Infallible only when they

they do not err ; That though Popes and Councils and all the Men in the Church teach this Doctrine, yet the Church does not teach it. Now, Whether these Propositions be true or false, I enquire not, but desire all good Catholicks to observe, That they must renounce the Infallibility and Authority of the Popes and General Councils of the Church of *Rome*, or acknowledge the Deposing Doctrine to be the Doctrine of the Church.

This Distinction between the Church and the Men of the Church, destroys all the Visible Authority of the Church, and leaves every man at liberty to judge for himself, What is Catholick Tradition; which is so loose a Principle, that a Doctor of the Church of *England* would be ashamed of it; let them no more talk of a Visible Church, if the whole Visible Authority of the Church be not the Church; if all those men, in whom the teaching and governing Authority of the Church resides, whether Popes and Councils may teach such Doctrines, and yet the Church not teach them; does the Church cease to be a Church, when it teaches any thing contrary to Catholick Tradition? Then it seems there was no Church during all the time of those Popes and Councils, which taught the Deposing Doctrine; nor is there any *Roman* Catholick Church to this day, wherein these Doctrines are still taught, and will be so, till those Decrees of Popes and Councils be repealed, which teach these Doctrines: Or, are they a Church, and yet the Church not teach, what they, who are the Church, teach with all the Authority of a Church? Or, are they a Church, and no Church, at the same time? Is not the Sentence, which a Judge pronounces by the Authority of a Judge, a Judicial Act, though it be contrary to Law? And by the same reason, Are not the Decrees of the Council, which is, the, Church representative, the Acts of the Church, though they be contrary to Catholick Faith and Tradition? Does a Judge cease to be a Judge, or the Church

Church to be the Church, when they pronounce false? And if not, Are not such false Judgments, or erroneous Decrees, the Acts of the Judge, or of the Church still? Let him but tell me, Whether he will have a Church or no Church, and he shall find me very civil in granting either; but how this Doctrine will relish with good Catholicks, I cannot guess.

In short these men, who will not allow the Deposing Doctrine to be the Doctrine of the Church of *Rome*, though they acknowledge it to have been decreed by Popes and Councils, go upon these Principles;

1. That Popes and Councils may and have decreed such Doctrines, as are contrary to Scripture, and Catholick Tradition.
2. That no good Catholick is bound to own such Doctrines, though decreed by Popes and Councils.
3. That the Doctrine of the present Church of *Rome*, is not the Doctrine of the Catholick Church.
4. That men are good Catholicks not by adhering to the Doctrine of the present Church of *Rome*, but of the Scriptures expounded by Primitive and Catholick Tradition. All this I firmly believe, they are the very Principles on which our Reformation is founded, and by which we justify our selves against the Innovations of the Church of *Rome*; but though these principles will justify the Reformation, yet they will not prove, That this Deposing Doctrine is not taught by the present Church of *Rome*.

Let us then now return again to our Remonstrancer, and having got rid of the Council of *Constance*, and proved, That it is so far from condemning, that it hath approved and confirmed the Deposing Doctrine, What remains is nothing but Insinuation, and Address, without the least appearance of an Argument: but let us hear what it is; and he proceeds thus.

Remonst.
p. 2.

*I say seeing Roman Catholicks do thus generally declare
their*

their Loyalty, I think they ought no more in Justice to be charged with disloyal Principles, for the extravagancy of some few of that vast body, and those censured and condemned too by them, than I am to be charged with the Principles of the like Disloyalty and Injustice, because some of my Children have been for the Bill of Exclusion, and others who communicated with me, have written scandalous Pamphlets, Narratives, &c. tending to Treason and Rebellion.

This is spoke in the Person of the Church of *England*, and a very fair Speech he has made for her, wherein there is not any one thing fairly represented. For 1. the Doctor does not charge Loyal Papists with disloyal Principles, only says, That the Popish Religion is not Loyal; but it is possible, that many Papists may not believe this to be the Doctrine of the Church of *Rome*, as many of them profess not to do; others may abhor the Doctrine, and renounce the Authority of the Church of *Rome* in this particular, though they hold Communion with her in her Worship; others may have such a Natural and Inbred Loyalty, such a Love to their Prince and Country, as antidotes them against the Infection of bad Principles; now these men may be Loyal; as the Doctor acknowledges, and may act upon very Loyal Principles too, but they are not the Principles of the Popish Religion; and there is some hazard, that while men embrace a Religion, and own the Authority of a Church, which teaches the Deposing Doctrine, they may be corrupted by their Religion, when there happens any competition between their Loyalty and Religion; which is all the Doctor asserted, and which any disinterested Person would have thought as inoffensive as it is true. And since this Passage has raised such an unjust clamour against the Doctor, I shall only observe, what just reason there is for such a Jealousie after all their declarations of Loyalty, in that (some very few excepted) they obstinately refuse the Oath of Allegiance, which there can be no colourable pretence for,

but that they will not forswear the Deposing Doctrine, and there is reason to suspect, That those who will not abjure so pernicious a Doctrine, may be perswaded to practise it, when time serves. Pope *Paul* the Fifth, *An.* 1606. by a *Breve* written to the English Catholicks, declared and taught them, as Pastor of their Souls, That the Oath of Allegiance, established by Parliament 3. *Fac. salvâ fide Catholica, et salute animarum suarum præstari non posse, cum multa contineat, quæ fidei ac saluti aperte adversantur*; cannot be taken without violating the Catholick Faith, and injuring the Salvation of their Souls, as containing many things, which are manifestly contrary to Faith and Salvation. Now as the Author of the First Treatise against the Oath of Allegiance well observes (p. 11.) there are not in it (*multa*) many things to which this censure is possibly applicable, unless this be one, That the Pope hath no power to depose the King, or absolve his Subjects from their Oath of Allegiance. Now, when, in Obedience to the Pope, the *Roman* Catholicks to this day obstinately refuse this Oath, Is there not reason to suspect, that they are not clear in this point? and then, let any man judge, what security there is of their Loyalty.

2. He says it is unjust, That *they should be charged with Disloyal Principles for the extravagancies of some few of that vast body, and those censured and condemned too by them.* This I must acknowledge would be very unjust, but it is not true. Those whom he calls a few, are no less than Popes and General Councils, and their most eminent Divines, Schoolmen, Casuists, Canonists, for several ages; who neither were, nor could be censured, because they were the Highest Authority in the Church; whereas in truth it is only some few, who have taught the contrary, and those indeed have been censured and excommunicated at *Rome*, as some *English* Catholicks can inform him.

3. He makes the Church of *England* say, That some of
her

her Children were for the Bill of Exclusion. If he would have passed for a Church of *England* man, he should have observed a better *Decorum* in personating the Church, and not have made her say such things, as no Ingenuous Papist would affix to her. If ever the Loyalty of the Church of *England* was tried, it was in that Affair, which she had no other Interest, but a sense of Duty, to oblige her to; and I know not any one man, who was firm and stedfast to the Church, but was so to the Succession too, though he underwent the Imputation of being a Papist, or Popishly inclined for it. It is sufficiently known, that the prevailing party of these Houses of Commons, who were for the Bill of Exclusion, were ready prepared to accommodate and comprehend away the Church of *England*; and he might, with equal truth, and honesty have charged the Rebellion of 41 on the Sons of the Church of *England*, as the Bill of Exclusion. But this is so barefaced a Calumny, that it confutes it self, and shames its Author.

4. Let us then consider, What comparison there is between the case of the Church of *Rome*, and of the Church of *England*; or, Whether there be the same reason to charge the Church of *England* with disloyalty, that there is to charge the Church of *Rome*. The Church of *Rome* teaches the Deposing Doctrine by all the Authority that is in that Church; the Church of *England* teaches the strictest Obedience to Princes, without any reserved cases, and threatens eternal Damnation to all Rebels, how religious soever their Pretences are. Those who teach the Deposing Doctrine, speak the sense of the Church of *Rome*, are her true and genuine Sons; those who allow Subjects in any case to rebel, contradict the Doctrine of the Church of *England*; and therefore it is as unjust to charge the Church of *England*, with the Treasons and Rebellions, which are committed contrary to her declared Doctrine, as it is just to charge the Church of *Rome* with such practices, as she her self decrees and teaches.

If *Roman* Catholicks be loyal to a deposed and excommunicated Prince, no thanks to the Church of *Rome* for it, who forbids them to be so. If any in Communion with the Church of *England* be disloyal, this is no fault of the Church, which teaches Loyalty. And since he has been pleased to mention the Bill of Exclusion, I would desire him to tell me at his leisure, What *Roman* Catholick Nation, who had all the Power in their hands, would have suffered a Protestant Prince to have succeeded quietly to his Throne? We know how it fared with *Henry* the Fourth of *France*, notwithstanding the Parliament of *Paris* burnt *Mariana's* Book, and what *Henrician* Hereticks in those days signified. But our Church teaches better, and the true Sons of the Church practise better, and will never repent of what they have done, though they be unjustly reproached by Fanatics for doing it, and as unjustly charged by as kind Remonstrating Friends, as any *Rome* affords, with opposing it.

And now I come to his convincing Argument; That the Papists do not hold such pernicious Doctrines; That he sees so many Kings and Princes in other Countries no less jealous of their Lives and Authorities than others, who yet profess and maintain that Religion, and think themselves secure by their Principles, when they dare not trust the Calvinist. The Church of *Rome*, you know, Sir, never wants Miracles, and it may be, this is none of the least. For my part I dare not pretend to give a Reason, Why any man professes that Religion, much less, Why Princes do so; and yet it is not more impossible, that men should maintain a Religion against their Interest, than believe contrary to their Sences. I suppose, it is as much against the Interest of Princes to be actually deposed by Popes and Councils, as it is to profess a Religion, which teaches the Deposing Doctrine; and yet when *Henry* the Fourth was deposed by *Gregory* the VII. and *Frederick* the Second by Pope *Innocent* the Fourth in the Council of *Lyons*, and in such other Instances of the actual exercise

exercise of this Deposing Doctrine, neither the deposed Princes and Emperors, nor other Catholick Kings, renounced the Communion of the Church of *Rome* for it; and if Kings can be contented to continue in the Communion of that Church, which actually deposes Princes, nay, deposes themselves, it does not seem to me so convincing an Argument, That the Church of *Rome* does not teach the Deposing Doctrine, meerly because Princes, who are jealous of their Lives and Authority, hold Communion with it.

If they can perswade Princes, That there is no Salvation to be had in any other Church, those who have a mind to be saved, must be contented to dispense with some temporal Inconveniencies to save their Souls; and indeed they have made the way to Heaven so very easie, that it may perswade Princes, who love their Pleasures, to bear with the Rudeness and Insolencies of Popes. And yet no man ever denied, but the Papists may be very good Subjects to Popish Princes; while they obey the Pope, the Pope commands their Subjects to obey them; the only danger is, when the Pope and the Prince are not of a side, whom the Subjects shall obey then, the deposed Prince, or the deposing Pope; and it is no greater wonder, that a Popish Prince can more securely trust his Popish Subjects, than *Calvinists*, than that a *Calvinistical* Prince places more confidence in his *Calvinistical* Subjects, than in *Papists*; for generally, neither *Papists*, nor *Calvinists*, can endure any Prince but of their own Religion; but now any Prince, whether *Papists* or *Calvinists*, may be secure in the Loyalty of the Church of *England*, which reverences the Person and Authority of their Prince, whatever his Religion be.

As for what he adds concerning our present King, (whom God long preserve) there is less reason for him to fear the Deposing Doctrine (though he did believe it to be the Doctrine of the Church of *Rome*) than for any other Catholick Prince in the World. For as the case stands, it is
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his no doubt, he thought, was a telling Argument
 must not charge the Church of Rome with the Do-
 Doctrine, for fear of reproaching the King; and by
 these reason we must not condemn any other Doctrine
 of Church of Rome, it is appear, that the King be-
 lieves it: Now by the same reason we must believe as he
 believes, for he is our Master in Religion to believe
 will; and thus he has bound over our Conscience
 by, and a new H. of Faith. We will remember the
 Nation, over his Government, and not by any in-
 dition reproach or vilify his Faith: I will not will;
 for I have no way to believe to defend our own
 Religion, if the reputation of the King or D. is
 times ever we have had such a Government from his
 age, that they will believe him to be infallible.
 is Argument to prove the Church of Rome does
 teach Eternal Punishment, is from the Perennial
 of a man's soul, but it is a very plain objection
 there is no Consensus in that; and though he has
 many things to say in this and very spurious, at times
 Dr. has waved this Point, I will do to too: Who ever
 a good man, or a good Christian, may read our English Bi-
 ble, or a good Christian, in his own Language and
 they will not do it.
 for the rest of the 2. reply, it is to vilify the Church
 of Rome, that I suppose, I need not tell any man, he was
 written by a son of that Church; and I think it is no
 credit to the Church of Rome, that they have no
 reason among them, to vilify their own and An-